

August 19, 2016

EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



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The following constitutes
the order of the court. Signed August 19, 2016

Attorneys for Movant,
Wells Fargo Bank, N.A. as trustee for
Freddie Mac Securities REMIC Trust, Se
2005-S001


Roger L. Efremsky
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

In re

FLORINDA S. CLETO and REYNALDO G.
CLETO,

Case No. 12-48953-RLE

Chapter 13

R.S. No. RPZ-153

**ORDER GRANTING MOTION FOR
RELIEF FROM AUTOMATIC STAY**

Hearing:

Date: August 17, 2016

Time: 1:30 p.m.

Place: 201

1300 Clay Street
Oakland, CA 94612

Debtors.

The above-captioned matter came for hearing on August 17, 2016, at 1:30 p.m., in Courtroom 201, upon the Motion of Wells Fargo Bank, N.A. as trustee for Freddie Mac Securities REMIC Trust, Series 2005-S001 ("Movant"), for relief from the automatic stay of 11 U.S.C. § 362, to enforce its interest in the property of Florinda S. Cleto and Reynaldo G. Cleto ("Debtors") commonly known as 1742 Judy Drive, Ripon, California 95366 (the "Real Property"), which is legally described as follows:

SEE LEGAL DESCRIPTION IN DEED OF TRUST ATTACHED
AS EXHIBIT B TO MOTION FOR RELIEF FROM STAY,
DOCKET ENTRY NUMBER 57.

1 Appearances as noted on the record.

2 Based on the arguments of counsel, and good cause appearing therefor,

3 IT IS HEREBY ORDERED:

4 1) The automatic stay of 11 U.S.C. § 362, is hereby terminated as it applies to the
5 enforcement by Movant of all of its rights in the Real Property under Note and Deed of Trust,
6 and pursuant to applicable state law;

7 2) Movant is authorized to foreclose its security interest in the Real Property under
8 the terms of the Note and Deed of Trust, and pursuant to applicable state law;

9 3) The 14-day stay provided by Bankruptcy Rule 4001 (a)(3) is waived;

10 4) Upon foreclosure, in the event Debtors fail to vacate the Real Property, Movant
11 may proceed in State Court for unlawful detainer pursuant to applicable state law;

12 5) Upon entry of this Order, the Chapter 13 Trustee shall cease making payments in
13 regard to Movant's claim filed in this bankruptcy case.

14 ** END OF ORDER **

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COURT SERVICE LIST